

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
\$19,540.00 IN U.S. CURRENCY	§	
Defendant	§	

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against approximately \$19,540.00 in United States currency, Defendant in rem, and alleges as follows in accordance with Rule G(2) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions:

*Nature of the Action*

1. This is an action to forfeit property to the United States pursuant to 31 U.S.C. §5317(c)(2).

*Defendant in Rem*

2. Defendant in rem is approximately \$19,540.00 in United States currency that was seized at the George Bush Intercontinental Airport in Houston, Texas, from Henry Sanchez Albernica and Jazmin Duenas Rodriguez, a.k.a. Jazmin

Sanchez, on September 1, 2009.

*Jurisdiction and Venue*

3. This Court has jurisdiction under 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court under 28 U.S.C. §§ 1355 and 1395(a) and (b) because the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas, the property was found and is located in the Southern District of Texas, and this forfeiture action accrued in the Southern District of Texas.

*Basis for Forfeiture*

5. The Defendant in rem is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2) which provides that any property involved in violations of 31 U.S.C. §§ 5316 and 5324(c) may be forfeited to the United States. Under 31 U.S.C. § 5316(a)(1)(B), a person shall file a report when the person knowingly transports, is about to transport, or has transported a monetary instrument of more than \$10,000 into the United States. Under 31 U.S.C. § 5324(c)(2) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, file or cause or attempt to cause a person to file a report required under 31 U.S.C. § 5316 that contains a material omission or misstatement of fact. United States currency

is a monetary instrument under 31 U.S.C. §5312(a)(3)(A).

*Facts*

6. On September 1, 2009, Henry Sanchez Albernía and Jazmin Duenas Rodriguez, a.k.a. Jazmin Sanchez, husband and wife, were traveling together from Bogota, Colombia, to Houston, Texas, aboard Continental Airlines flight #885. When they arrived in the United States, they each told United States Customs and Border Protection Officers (CBP Officers) that they were traveling alone and that they were each carrying less than \$10,000.00. As they were being processed by CBP Officers, a CBP Officer reviewed a copy of Henry Sanchez Albernía's travel itinerary. This itinerary indicated that he was traveling with Jazmin Duenas Rodriguez. As a result of this discovery, CBP Officers questioned both Henry Sanchez Albernía and Jazmin Duenas Rodriguez about their relationship and their itinerary. Eventually, Henry Sanchez Albernía and Jazmin Duenas Rodriguez admitted that they were married and had two children. CBP Officers inspected the money that they were carrying and found that they were carrying a total of \$19,540. Henry Sanchez Albernía stated that he gave \$9,500 to Jazmin Duenas Rodriguez to bring into the United States. They both admitted that they knew that they were required to report to Customs Officials when they were bringing more than \$10,000 into the United States. Henry Sanchez Albernía told Senior Special

Agent Deanna Overholt that he split up the money so that each of them would have less than \$10,000.00. CBP Officers seized the \$19,540 for forfeiture.

*Relief Requested*

7. Plaintiff requests

- a. an arrest warrant and summons, citing all persons having an interest in the Defendant property to appear on the return day of process by filing a claim and answer pursuant to Rule G(5), Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, or as ordered by this Court,
- b. a judgment of forfeiture, and
- c. costs and other relief to which the Plaintiff may be entitled.

Dated: October 7, 2009.

Respectfully submitted,

Tim Johnson  
United States Attorney

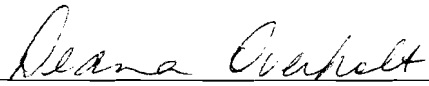
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VERIFICATION

I, Deanna Overholt, Senior Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this Verified Complaint for Forfeiture in Rem, and the facts stated in this complaint are true and correct to the best of my knowledge and belief.

Executed on October 7, 2009.

  
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Deanna Overholt, Senior Special Agent  
U. S. Immigration and Customs Enforcement